

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KOHCHISE JACKSON,

Plaintiff,

v

Case No. 2:19-cv-13382

Hon. Terrence G. Berg

MJ Patricia T. Morris

CORIZON HEALTH, Inc.,

a Delaware corporation.,

PRIME HEALTHCARE SERVICES – PORT HURON, LLC,

a Delaware limited liability company,

KEITH PAPENDICK,

COLLEEN MARIE SPENCER, and

DAVID A. KRAUS*,

* Dismissed (ECF No. 32, PageID.630)

Defendants.

LAURENCE H. MARGOLIS (P69635)
IAN T. CROSS (P83367)
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STIPULATED PROTECTIVE ORDER

WHEREAS, Plaintiff has requested in written discovery that Defendant Prime Healthcare Services – Port Huron, LLC produce certain information and documents in its actual or constructive possession which Defendants Prime Healthcare Services – Port Huron, LLC consider

to be confidential, including, *inter alia*, sensitive personal, and private business operation information, namely, as follows:

- Contracts between the St. Clair County Jail and Defendant Prime Healthcare Services and/or its predecessor and successor entities;
- Personal information, including personnel records, orientation and training records, employment/disciplinary files, performance reviews, evaluations of medical and/or nursing staff.

(collectively “Confidential Information”) and, therefore the parties have mutually agreed that the aforementioned Confidential Information should be treated as highly confidential for reasons including privacy, security, proprietary interests, and business trade secrets, therefore, have mutually agreed that a protective order limiting the Confidential Information’s use, access, and disclosure should be entered; and the Court being otherwise fully informed;

IT IS HEREBY ORDERED that, pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, any party receiving such Confidential Information from Defendant Prime Healthcare Services – Port Huron, LLC and/or its agents or employees, through the discovery process in this case (the Receiving Party) and such Receiving Party’s counsel will use such Confidential Information only for purposes of this Case No. 2:19-cv-13382 (the “Action”) and will keep such Confidential Information confidential and will not disclose or disseminate such Confidential Information except to the following:

- i. Attorneys of record in this Action and secretaries, paralegals, law clerks and support staff employees to whom, in the opinion of the attorney of record for the receiving party, it is necessary that the information be disclosed for purposes of the Action.

- ii. Any person who is not an employee or business consultant of a party and who is retained by a party or its attorneys of record in this Action solely as an independent expert for the purposes of this Action and who agrees in writing to be bound by the terms of this Protective Order. The independent expert must complaint and sign a Confidentiality Statement agreeing to be bound by the terms of this protective order. A copy of that Confidentiality Statement must be given to Prime Healthcare Services – Port Huron, LLC, Colleen Spencer and David Kraus’ counsel before access is allowed to the Confidential Information.
- iii. Court reporters, stenographers, clerks, law clerks, and other court personnel employed by the Court, and court reporters, videographers, and/or stenographers at depositions.
- iv. All persons specifically engaged by a party for the purpose of supporting a party’s litigation effort (including, but not limited to firms engaged in the processing, hosting, and/or facilitating the review of the documents produced to a party; making photocopies; preparing demonstrative aids for hearing or trial; conducting or participating in jury studies and/or research; mediating the parties’ dispute; or conduction case assessments); so long as each respective vendor or contract has a confidentiality agreement in place with retaining counsel or party that could cover the information in question.
- v. The author or recipient of the document (not including a person who received the document solely in the court of the Action).
- vi. To a deponent in the court of a deposition, and as necessary to use such Confidential information in compliance with E.D. Mich. LR 26.4(c).

vii. The Court and its personnel.

This Order shall survive the termination of this Action, and shall remain in effect until modified, superseded, or terminated by order of the Court or by agreement of the parties.

Any person who violates this Order may be subject to sanctions, including injunctive relief, contempt orders, monetary damages, or other penalties to be determined by the Court.

This order does not authorize the filing of any documents under seal. Documents may be sealed only if authorized by statute, rule, or order of the Court.

IT IS SO ORDERED.

Date: November 23, 2020

/s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ IAN T. CROSS w/permission 11/18/20
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